

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT  
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OCT 21 2004

In re the application of:

David Ian ALLEN

Serial No.: 09/748,391

Filed: December 27, 2000

For: METHOD, DEVICE AND SOFTWARE  
FOR ENSURING PATH DIVERSITY  
ACROSS A COMMUNICATIONS  
NETWORK

Group Art Unit: 2157

Examiner: Avi M. GOLD

Attorney Docket: 92644-36

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Customer No. 22463

**AMENDMENT TRANSMITTAL LETTER**Transmitted herewith is an amendment in the above-identified application.  
The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	22	22	0	X \$18	\$0
INDEP. CLAIMS	5	5	0	X \$88	\$0
Multiple Dependent Claims (check if applicable) 0					\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0

- ☒ No additional fee is required for amendment.
- ☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_. A duplicate copy of this sheet is enclosed.
- ☒ **Conditional Petition for Extension of Time:** An extension of time is requested to provide for timely filing if an extension of time is still required after all papers filed with this transmittal have been considered. Please charge the fees required therefor to Deposit Account No. 19-2548.
- ☐ A check in the amount of \_\_\_\_\_ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-2548. A duplicate copy of this sheet is enclosed.
- ☒ Any additional filing fees required under 37 C.F.R. 1.16.
- ☒ Any patent application prosecution fees under 37 C.F.R. 1.17.

October 21, 2004  
DateMatthew Zischka (Reg. 41,575)  
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MZ/pan

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In view of the forgoing it is believed that the above noted application is now in condition for allowance. Favourable reconsideration and allowance are earnestly solicited.

Respectfully submitted,



Matthew Zischka  
Registration No. 41,575

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October 22, 2004  
92644-36 MZ/pan